

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

KENNETH DEWAYNE ROBLEZ,

Petitioner,

v.

DIRECTOR, TDCJ-CID,

Respondent.

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CIVIL ACTION NO. 1:20-CV-00050-C

ORDER TO SHOW CAUSE, NOTICE, AND INSTRUCTIONS TO PARTIES

A petition for writ of habeas corpus has been filed in this Court pursuant to 28 U.S.C.

§ 2254. Accordingly, it is ORDERED as follows:

RESPONDENT’S ANSWER: Respondent is directed to file an **answer** to Petitioner’s petition pursuant to Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts within sixty (60) days from the date of this Order. **No extensions will be granted** absent good cause.

Respondent shall raise by way of her **answer** any appropriate defenses that she wishes to have the Court consider, including, but not limited to, exhaustion, statute of limitations, and successive petition. All applicable issues **must** be raised in the **answer** filed by Respondent.

Please note: Pursuant to Rule 5(c) to the extent that Respondent relies on (i.e., cites to) portions of the state court records in her answer and any brief filed therewith, such portions of the state court records relied on and/or cited to shall be designated as exhibits and included in a separate appendix filed simultaneously with the answer and any brief filed therewith.

Respondent shall mail a copy of the answer, together with a copy of any supporting brief filed therewith and an appendix containing the above-mentioned exhibits, to Petitioner at the address set out in Petitioner's pleadings or to his attorney of record, if any. Respondent shall file a certificate with the Clerk evidencing such service.

RECORDS: In addition to the State Court records included in the appendix described above, all records **must** be filed with the Clerk within sixty (60) days from the date of this Order.

PETITIONER'S RESPONSE: Pursuant to Rule 5(e), Petitioner may file a response to Respondent's answer within thirty (30) days from the date shown on Respondent's certificate of service. Petitioner's response must be limited to the arguments raised by Respondent and **shall not include any new allegations of fact or new grounds for relief**. Petitioner shall mail a copy of any response to counsel for Respondent and shall file a certificate with the Clerk evidencing such service.

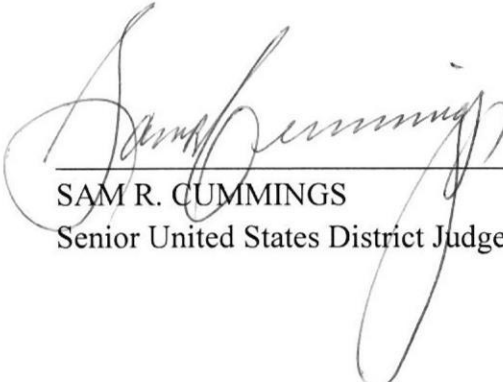
SUBSTITUTION OF COUNSEL: When an Assistant Attorney General enters an appearance in this case, another Assistant Attorney General may replace the attorney by filing a notice of substitution that identifies the attorney being replaced. Unless the Court otherwise directs, the notice effects the withdrawal of the attorney being replaced and no motion to withdraw pursuant to Local Rule 83.12(a) is required.

SERVICE OF PETITION AND ORDER: Copies of the petition, attachments, supporting brief, if any, all orders and other documents filed in this action shall be served electronically upon the Texas Attorney General as Counsel for Respondent and shall be directed to the attention of Edward Marshall, Chief, Criminal Appeals Division, Office of the Attorney General of Texas, Austin, Texas. *See* Fed. R. Civ. P. 5(b)(2)(E).

The Clerk shall transmit a copy of this Order to Petitioner or his attorney of record.

SO ORDERED.

Dated April 20, 2020.



SAM R. CUMMINGS
Senior United States District Judge